# **Economic Development Appropriations Bill House File 2522**

As Amended by H-8540

**Executive Summary Only** 

Last Action:

Senate Floor

March 22, 2010

An Act relating to and making appropriations to the Department of Cultural Affairs, the Department of Economic Development, certain Board of Regents institutions, the Department of Workforce Development, and the Public Employment Relations Board, and related matters.

### **NOTES ON BILLS AND AMENDMENTS (NOBA)**



Available on line at http://www3.legis.state.ia.us/noba/index.jsp

**Fiscal Services Division** 

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## HOUSE FILE 2522 AS AMENDED BY H-8540 ECONOMIC DEVELOPMENT APPROPRIATIONS BILL

#### SENATE AMENDMENT – H-8540

- Decreases the General Fund appropriation to the Department of Workforce Development for the Workforce Development Board and the New Iowans Centers by \$50,000.
- Increases the General Fund appropriation to the Department of Workforce Development for investigation of employers that misclassify workers by \$50,000.
- Amends Code Section 15E.117 to require \$100,000 of the Beer Gallonage Tax and the Wine Gallonage Tax appropriated to the Department of Economic Development to be allocated to the Midwest Grape and Wine Industry Institute at Iowa State University.
- Amends Code Section 84C.2(8) that provides the definition of "part-time employee" as enacted in HF 681 (Iowa Worker Adjustment and Retraining Notification Act) to prevent the definition from superseding the definition in a collective bargaining agreement. House File 681 was enacted March 22, 2010.
- Amends Code Section 84C.4 (as enacted in HF 681) by adding a new paragraph to reduce the required 30-day notice of a business closing or a mass layoff by the number of days that severance payments or wages in lieu of notice are paid by the employer.
- Amends Code Section 91C.2 to add the requirement that an out-of-state contractor file a surety bond with the Department of Workforce Development Division of Labor Services in the amount of \$25,000 for a one-year period or provide a statement specified in Code Section 314.1 to the Division that the contractor has prequalified to bid on specified contracts.
- Amends Code Section 91C.7 to replace the current surety bond requirements for out-of-state contractors with the requirements specified in Code Section 91C.2.
- Amends Code Section 123.143(3) to appropriate the Beer Gallonage Tax directly to the Department of Economic Development for the promotion of Iowa wine and beer.

## BILL AS PASSED BY THE HOUSE FUNDING SUMMARY

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

• Appropriates a total of \$41.8 million from the General Fund and 507.5 FTE positions to the Department of Cultural Affairs, the Department of Economic Development, Board of Regents economic development programs, Iowa Workforce Development, and the Public Employment Relations Board (PERB). This is an increase of \$1.0 million and a decrease of 3.1 FTE positions compared to estimated net FY 2010. This Bill increases support from other funds by \$158,000 to a total of \$11.6 million.

#### Department of Cultural Affairs:

- Appropriates \$5.7 million and 74.5 FTE positions from the General Fund to the Department of Cultural Affairs. This is an increase of \$27,000 and a decrease of 8.3 FTE position compared to estimated net FY 2010. The significant changes include:
- An increase of 8.3 FTE positions to adjust to the anticipated usage. (Page 1, Line 7)
- An increase of \$27,000 for Records Center rent. (Page 2, Line 4)

## HOUSE FILE 2522 AS AMENDED BY H-8540 ECONOMIC DEVELOPMENT APPROPRIATIONS BILL

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

#### Department of Economic Development:

- Appropriates \$13.3 million and 160.3 FTE positions from the General Fund to the Department of Economic Development (DED). This is an increase of \$50,000 and no change in positions compared to estimated net FY 2010. The significant changes include:
  - An increase of \$150,000 for the Administration Division to restore a portion of the FY 2010 across-the-board (ATB) reduction. (Page 2, Line 28)
  - A decrease of \$100,000 for the World Food Prize. (Page 5, Line 26)
- Eliminates an FY 2010 appropriation of \$144,000 from interest earnings on the Federal Economic Stimulus and Jobs Holding Account to support the Council of Governments.

#### **Board of Regents:**

- Appropriates \$3.4 million and 69.4 FTE positions from the General Fund for economic development programs at Iowa State University (ISU), the University of Iowa (SUI), and the University of Northern Iowa (UNI). This is an increase of \$225,000 compared to estimated net FY 2010. The significant changes include:
  - An increase of \$100,000 for ISU to support of Small Business Development Centers. (Page 7, Line 24)
  - An increase of \$125,000 for UNI for expanded support of entrepreneurs through the University's Regional Business Center. (Page 9, Line 34)

#### Department of Workforce Development:

- Appropriates \$18.2 million and 193.4 FTE positions from the General Fund for the Department of Workforce Development (IWD). This is an increase of \$648,000 and 5.2 FTE position compared to estimated net FY 2010. The significant changes include:
  - An increase of \$100,000 for the Labor Services Division to restore a portion of the FY 2010 ATB reduction. (Page 11, Line 2)
  - A decrease of 4.2 FTE positions for the Labor Services Division to adjust the positions to the anticipated usage. (Page 11, Line 2)
  - An increase of \$548,000 for Workforce Development Field Offices to restore a portion of the FY 2010 ATB reduction. (Page 11, Line 27).
  - An increase of 8.1 FTE positions for the Employee Misclassification Program to adjust the FTE positions to the current usage. (Page 14, Line 2)
- Appropriates \$662,000 from the Employment Security Contingency Fund for operation of the Field Offices. This is an increase of \$302,000 compared to estimated net FY 2010. (Page 13, Line 20)

#### Public Employment Relations Board:

 Appropriates \$1.1 million and 10.0 FTE positions from the General Fund to the Public Employment Relations Board. This is an increase of \$50,000 and no change in FTE positions compared to estimated net FY 2010 to restore a portion of the FY 2010 ATB reduction and reduce days off without pay. (Page 14, Line 12)

## HOUSE FILE 2522 AS AMENDED BY H-8540 ECONOMIC DEVELOPMENT APPROPRIATIONS BILL

#### STUDIES AND INTENT LANGUAGE

- Requires a business creating jobs with economic development assistance from the Business Development appropriation to the DED to be subject to contract provisions stating that new and retained jobs must be filled by individuals that are citizens of the United States, reside in the United States, or are authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States. Requires any vendor that receives public moneys from the Department through the Business Development appropriation to adhere to these contract provisions and provide periodic assurances of compliance. Specifies businesses receiving financial assistance from the DED, from monies appropriated in this Bill, are to employ only individuals legally authorized to work in the State. Permits the DED to recapture all or a portion of any financial assistance provided to a business that is found to have knowingly employed individuals not legally authorized to work in the State.

  (Page 3, Line 31)
- Permits the DED to provide grants to community economic development entities for local workforce recruitment efforts designed to recruit former citizens of the State and former students at State colleges and universities to meet the needs of local employers. (Page 4, Line 17)
- Permits the DED to provide financial assistance to early-stage industry companies established by women entrepreneurs. (Page 4, Line 23)
- Permits the DED to provide financial assistance for advanced research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology. (Page 4, Line 26)
- Specifies it is the intent of the General Assembly that the Industrial Incentive Program at ISU focus on Iowa industrial sectors and seek private sector donations. Requires matching funds for participation in the Institute for Physical Research and Technology Incentive Program. The match is \$1.00 for each \$3.00 of State funds for small businesses or \$1.00 for each \$1.00 of State funds for larger businesses, industrial foundations, or trade organizations. (Page 8, Line 18)
- Requires ISU to report annually the total amount of private contributions to the Industrial Incentive Program, the proportion from small businesses and other businesses, and the proportion for directed and nondirected research. (Page 8, Line 33)
- Requires the Board of Regents to submit a report to the General Assembly and the Legislative Services Agency by January 15, 2011, regarding the progress of the Regents institutions in meeting the Strategic Plan for Technology Transfer and Economic Development. (Page 10, Line 24)
- Requires the Division of Labor Services to reimburse the Employment Appeals Board in the Department of Inspections and Appeals for the costs associated with hearings related to contractor registration from contractor registration fees. (Page 11, Line 7)
- Requires the Workers' Compensation Division to continue to charge a \$100 filing fee for workers' compensation cases. Permits the losing party to be taxed for the fee, unless it would impose an undue hardship or be unjust. Appropriates the fees collected to the IWD. (Page 11, Line 17)
- Requires the Department to make every effort to maintain New Iowans Centers. Requires the New Iowans Centers to offer one-stop services to workers, businesses, and communities. Requires seamless service delivery through government coordination and cooperation with public, private, and nonprofit entities. (Page 12, Line 2)

## HOUSE FILE 2522 AS AMENDED BY H-8540 ECONOMIC DEVELOPMENT APPROPRIATIONS BILL

### STUDIES AND INTENT LANGUAGE (CONTINUED)

#### SIGNIFICANT CODE CHANGES

- Requires the IWD to partner with the Department of Corrections on the Offender Reentry Program. (Page 12, Line 22)
- Requires the Auditor of State to annually conduct an audit, including the accountability of the IWD programs, and submit results to the Economic Development Appropriations Subcommittee. Requires the IWD to pay for the cost of the audit. (Page 13, Line 1)
- Requests the Auditor of State to review the Iowa Finance Authority's annual audit. (Page 14, Line 26)
- Requires nonreversion of funds appropriated to the DED Administration Division. (Page 3, Line 11)
- Requires nonreversion of funds appropriated to the DED Business Development Division. (Page 4, Line 31)
- Requires nonreversion of funds appropriated to the DED Community Development Division. (Page 5, Line 21)
- Reduces the standing limited appropriation of \$1.0 million to \$650,000. (Page 5, Line 26)
- Requires nonreversion of FY 2011 funds appropriated for matching funds for the United States Department of Housing and Urban Development's Main Street Challenge Grants for historic building preservation. (Page 5, Line 33)
- Requires nonreversion of funds appropriated to the DED Iowa Commission on Volunteer Services. (Page 6, Line 9)
- Requires nonreversion of funds appropriated to the Board of Regents institutions. (Page 9, Line 5; Page 9, Line 28; and Page 10, Line 19)
- Requires nonreversion of funds appropriated to the IWD for the Labor Services Division, Workers' Compensation Division, Workforce Development Operations, and the Offender Reentry Program. (Page 12, Line 30)
- Appropriates funds from the Unemployment Compensation Reserve Fund. (Page 13, Line 28)
- Permits the expenditure of funds from the Unemployment Compensation Trust Fund. (Page 14, Line 29)
- Extends the due date of the required annual report produced by the Iowa Studies Committee on the utilization of the Iowa Studies Professional Development Plan to June 30, 2012, and extends the final report due date to January 15, 2013. (Page 15, Line 3)
- Extends the repeal date of the Iowa Studies Committee to July 1, 2013. (Page 15, Line 17)
- Requires nonreversion of FY 2010 funds appropriated for matching funds for the United States Department of Housing and Urban Development's Main Street Challenge Grants for historic building preservation. (Page 15, Line 20)
- Specifies the Section regarding nonreversion of FY 2010 funds appropriated for matching funds for the United States Department of Housing and Urban Development's Main Street Challenge Grants for historic building preservation, and the Sections regarding the Iowa Studies Committee are effective on enactment. (Page 15, Line 31)

#### **EFFECTIVE DATE**

# Summary Data General Fund

	Actual FY 2009	I	Estimated Net FY 2010	Gov Rec FY 2011	ı	House Action FY 2011	:	Senate Action FY 2011	Senate Action vs. Est Net 2010	Page and Line #
	(1)		(2)	(3)		(4)		(5)	(6)	(7)
Economic Development	\$ 47,576,049	\$	40,754,957	\$ 41,904,957	\$	41,754,957	\$	41,754,957	\$ 1,000,000	
Grand Total	\$ 47,576,049	\$	40,754,957	\$ 41,904,957	\$	41,754,957	\$	41,754,957	\$ 1,000,000	

### **Economic Development**

#### General Fund

		Actual FY 2009		Estimated Net FY 2010	Gov Rec FY 2011	House Action FY 2011	Senate Action FY 2011	Senate Action vs. Est Net 2010		Page and Line #
		(1)		(2)	 (3)	 (4)	 (5)		(6)	(7)
Cultural Affairs, Dept. of										
Cultural Affairs, Dept. of Administration Division Community Cultural Grants Historical Division Historic Sites Arts Division Great Places Archiving Former Governor's Papers Records Center Rent	\$	252,013 298,566 3,796,919 585,930 1,216,533 328,804 83,354	\$	212,069 273,500 3,195,107 493,060 1,023,712 214,869 70,142 199,816	\$ 212,069 273,500 3,195,107 493,060 1,023,712 214,869 70,142	\$ 212,069 273,500 3,195,107 493,060 1,023,712 214,869 70,142	\$ 212,069 273,500 3,195,107 493,060 1,023,712 214,869 70,142 227,243	\$	0 0 0 0 0 0	PG 1 LN 7 PG 1 LN 20 PG 1 LN 24 PG 1 LN 27 PG 1 LN 30 PG 1 LN 33 PG 2 LN 1 PG 2 LN 4
Total Cultural Affairs, Dept. of	•	237,452 6,799,571	•	5,682,275	\$ 199,816 5,682,275	\$ 227,243 5,709,702	\$ 5,709,702	•	<u>27,427</u> 27,427	PG 2 LN 4
Economic Development, Dept. of  Economic Development, Dept. of  Economic Dev. Administration  Business Development  Community Development Division  World Food Prize  Historic Preservation Challenge Grants  Iowa Comm. Volunteer SerPromise	\$	2,186,814 6,513,612 6,372,598 1,000,000 197,000	\$	1,826,046 5,346,536 5,063,917 750,000 165,775 112,500	 1,976,046 5,346,536 5,063,917 750,000 165,775 112,500	 1,976,046 5,346,536 5,063,917 650,000 165,775 112,500	1,976,046 5,346,536 5,063,917 650,000 165,775 112,500	· .	150,000 0 0 -100,000 0	PG 2 LN 28 PG 3 LN 17 PG 5 LN 2 PG 5 LN 26 PG 5 LN 29 PG 6 LN 3
Total Economic Development, Dept. of	\$	16,270,024	\$	13,264,774	\$ 13,414,774	\$ 13,314,774	\$ 13,314,774	\$	50,000	
Regents, Board of  Regents, Board of  ISU - Economic Development  SUI - Economic Development	\$	2,943,124 264,325	\$	2,475,983 222,372	\$ 2,475,983 222,372	\$ 2,575,983 222,372	\$ 2,575,983 222,372	\$	100,000	PG 7 LN 24 PG 9 LN 11
UNI - Economic Development		583,393		485,674	 485,674	 610,674	 610,674		125,000	PG 9 LN 34
Total Regents, Board of	\$	3,790,842	\$	3,184,029	\$ 3,184,029	\$ 3,409,029	\$ 3,409,029	\$	225,000	

### **Economic Development**

General Fund

	 Actual FY 2009	E	Stimated Net FY 2010		Gov Rec FY 2011	 House Action FY 2011	 Senate Action FY 2011	Senate Action s. Est Net 2010	Page and Line #
	 (1)		(2)	_	(3)	 (4)	 (5)	 (6)	(7)
lowa Workforce Development									
Iowa Workforce Development IWD - Labor Services Division IWD - Workers' Comp Division IWD Operations - Field Offices Offender Reentry Program Security Employee Training Program Employee Misclassification	\$ 3,851,643 2,884,187 12,370,209 367,447 15,000 0	\$	3,395,440 2,595,768 10,795,474 322,261 13,033 450,000	\$	3,495,440 2,595,768 11,645,474 322,261 13,033 500,000	\$ 3,495,440 2,595,768 11,343,047 322,261 13,033 450,000	\$ 3,495,440 2,595,768 11,293,047 322,261 13,033 500,000	\$ 100,000 0 497,573 0 0 50,000	PG 11 LN 2 PG 11 LN 12 PG 11 LN 27 PG 12 LN 15 PG 12 LN 26 PG 14 LN 2
Total Iowa Workforce Development	\$ 19,488,486	\$	17,571,976	\$	18,571,976	\$ 18,219,549	\$ 18,219,549	\$ 647,573	
Public Employment Relations Board									
Public Employment Relations PER Board - General Office	\$ 1,227,126	\$	1,051,903	\$	1,051,903	\$ 1,101,903	\$ 1,101,903	\$ 50,000	PG 14 LN 12
Total Public Employment Relations Board	\$ 1,227,126	\$	1,051,903	\$	1,051,903	\$ 1,101,903	\$ 1,101,903	\$ 50,000	
Total Economic Development	\$ 47,576,049	\$	40,754,957	\$	41,904,957	\$ 41,754,957	\$ 41,754,957	\$ 1,000,000	

# Summary Data Other Funds

	Actual FY 2009	E	Estimated Net FY 2010	Gov Rec FY 2011	House Action FY 2011	Senate Action FY 2011	Senate Action rs. Est Net 2010	Page and Line #
	(1)		(2)	(3)	(4)	(5)	(6)	(7)
Economic Development	\$ 10,971,000	\$	11,475,000	\$ 11,331,000	\$ 11,633,427	\$ 11,633,427	\$ 158,427	
Grand Total	\$ 10,971,000	\$	11,475,000	\$ 11,331,000	\$ 11,633,427	\$ 11,633,427	\$ 158,427	

### **Economic Development**

Other Funds

	 Actual FY 2009		Estimated Net FY 2010	Gov Rec FY 2011	House Action FY 2011	Senate Action FY 2011	enate Action . Est Net 2010	Page and Line #
	 (1)		(2)	 (3)	 (4)	 (5)	 (6)	(7)
Economic Development, Dept. of								
Economic Development, Dept. of Council of Governments DED - Workforce Development Fund	\$ 0 4,000,000	\$	144,000 4,000,000	\$ 0 4,000,000	\$ 0 4,000,000	\$ 0 4,000,000	\$ -144,000 0	PG 6 LN 33
Total Economic Development, Dept. of	\$ 4,000,000	\$	4,144,000	\$ 4,000,000	\$ 4,000,000	\$ 4,000,000	\$ -144,000	
lowa Workforce Development								
Iowa Workforce Development Workers' Comp. DivSp. Cont. Fund P & I Workforce Development Field Offices IWD Field Offices (UI Reserve Interest)	\$ 471,000 0 6,500,000	\$	471,000 360,000 6,500,000	\$ 471,000 360,000 6,500,000	\$ 471,000 662,427 6,500,000	\$ 471,000 662,427 6,500,000	\$ 0 302,427 0	PG 13 LN 8 PG 13 LN 20 PG 13 LN 28
Total Iowa Workforce Development	\$ 6,971,000	\$	7,331,000	\$ 7,331,000	\$ 7,633,427	\$ 7,633,427	\$ 302,427	
Total Economic Development	\$ 10,971,000	\$	11,475,000	\$ 11,331,000	\$ 11,633,427	\$ 11,633,427	\$ 158,427	

# **Summary Data** FTE

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Gov Rec FY 2011 (3)	House Action FY 2011 (4)	Senate Action FY 2011 (5)	Senate Action vs. Est Net 2010 (6)	Page and Line #
Economic Development	442.87	510.59	507.51	507.51	507.51	-3.08	_
Grand Total	442.87	510.59	507.51	507.51	507.51	-3.08	

# **Economic Development** FTE

	Actual FY 2009	Estimated Net FY 2010	Gov Rec FY 2011	House Action FY 2011	Senate Action FY 2011	Senate Action vs. Est Net 2010	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Cultural Affairs, Dept. of							
Cultural Affairs, Dept. of							
Administration Division	1.40	82.77	2.90	74.50	74.50	-8.27	PG 1 LN 7
Historical Division	48.92	0.00	52.22	0.00	0.00	0.00	PG 1 LN 24
Historic Sites	8.35	0.00	6.25	0.00	0.00	0.00	PG 1 LN 27
Arts Division	9.98	0.00	9.50	0.00	0.00	0.00	PG 1 LN 30
Great Places	3.91	0.00	2.70	0.00	0.00	0.00	PG 1 LN 33
Archiving Former Governor's Papers	0.97	0.00	0.93	0.00	0.00	0.00	PG 2 LN 1
Total Cultural Affairs, Dept. of	73.53	82.77	74.50	74.50	74.50	-8.27	
Economic Development, Dept. of							
Economic Development, Dept. of							
Economic Dev. Administration	21.37	149.00	24.45	149.00	149.00	0.00	PG 2 LN 28
Business Development	56.59	0.00	64.40	0.00	0.00	0.00	PG 3 LN 17
Community Development Division	56.64	0.00	60.15	0.00	0.00	0.00	PG 5 LN 2
Iowa Comm. Volunteer SerPromise	1.00	1.00	1.00	1.00	1.00	0.00	PG 6 LN 3
Vision Iowa Program	1.99	2.25	2.25	2.25	2.25	0.00	PG 6 LN 14
DED - Workforce Development Fund	0.00	4.00	4.00	4.00	4.00	0.00	PG 6 LN 33
DED - Workforce Development Admin	2.84	4.00	4.00	4.00	4.00	0.00	PG7 LN7
Total Economic Development, Dept. of	140.43	160.25	160.25	160.25	160.25	0.00	
Regents, Board of							
Regents, Board of							
ISU - Economic Development	27.16	56.63	56.63	56.63	56.63	0.00	PG 7 LN 24
SUI - Economic Development	5.46	6.00	6.00	6.00	6.00	0.00	PG 9 LN 11
UNI - Economic Development	6.75	6.75	6.75	6.75	6.75	0.00	PG 9 LN 34
Total Regents, Board of	39.37	69.38	69.38	69.38	69.38	0.00	

# **Economic Development** FTE

	Actual FY 2009	Estimated Net FY 2010	Gov Rec FY 2011	House Action FY 2011	Senate Action FY 2011	Senate Action vs. Est Net 2010	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
lowa Workforce Development							
Iowa Workforce Development							
IWD - Labor Services Division	64.45	68.15	64.00	64.00	64.00	-4.15	PG 11 LN 2
IWD - Workers' Comp Division	29.33	30.00	30.00	30.00	30.00	0.00	PG 11 LN 12
IWD Operations - Field Offices	84.05	88.04	88.28	88.28	88.28	0.24	PG 11 LN 27
Offender Reentry Program	1.21	2.00	3.00	3.00	3.00	1.00	PG 12 LN 15
Employee Misclassification	0.00	0.00	8.10	8.10	8.10	8.10	PG 14 LN 2
Total Iowa Workforce Development	179.04	188.19	193.38	193.38	193.38	5.19	
Public Employment Relations Board							
Public Employment Relations							
PER Board - General Office	10.49	10.00	10.00	10.00	10.00	0.00	PG 14 LN 12
Total Public Employment Relations Board	10.49	10.00	10.00	10.00	10.00	0.00	
Total Economic Development	442.87	510.59	507.51	507.51	507.51	-3.08	